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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/532,176

02/03/2006

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HI09054USU (P03080)

6762

34408 7590 03/02/2010
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EXAMINER

LANGHNOJA, KUNAL N

ART UNIT

PAPER NUMBER

2427

MAIL DATE

DELIVERY MODE

03/02/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/532,176	Applicant(s) TEICHNER ET AL.	
	Examiner KUNAL LANGHNOJA	Art Unit 2427	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 April 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81(c). No new matter may be introduced in the required drawing. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). In specification paragraph 0024, applicant refers to Figure 3, however, Figure 3 is not disclosed in current applicant. Appropriate correction is required.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters in specification "110, 150, 130, 120, 170" and reference character in Figure 1 "10, 50, 30, 20, 70" have both been used to designate Network system, Reception unit, Operating unit, Displays, Telephone system, respectively. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters in specification "251, 252, 253, 254, 255, 256, 257, 258, 259" and reference character in Figure 2 "51, 52, 53, 54, 55, 56, 57, 58, 59" have both been used to designate Receiver module, Demux, Matching stage, Mux, Network Interface, Evaluation Unit, Controller, Memory, Server Unit, respectively. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claim 1 objected to because of the following informalities: Claim 1, recites "a controller" on line 20. The examiner suggests "a controller" should be replaced by "the controller". Appropriate correction is required.

5. Claim 1 objected to because of the following informalities: Claim 1, recites "the control unit" on line 21. The examiner assumes the control unit refers to "a controller" and should be replaced by "the controller". Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knobi et al (US Patent Pub No. 2001/0025376), in view of Jutzi et al (US Patent Pub No. 2006/0095939).

Regarding claim 1, Knobi et al teaches a digital television system in a vehicle (Figure 1) comprising:

a network [1] that communicates audio, video and miscellaneous data signals (audio, video and data with respect to A/V) (Figure 1, Abstract, Paragraphs 0007-8) ;

a display [16-,17] that receives the signals from the network [1] and displays information from the signals (Figure 1; Abstract, Paragraphs 0039, 0044);

an operating unit [14,15] that requests a program or program information through the network (Paragraph 0039, 0044); and

a television reception unit [6, 14, 15] that processes a digital transmission signal having audio, video and miscellaneous data, the television reception unit further comprising:

a television receiver module [6] configured to receive the digital signal (Figure 1, Paragraphs 0039, 0041);

a matching stage configured to match the audio signal with the video signal (i.e. presenting a/v signals to user) (paragraph 0039, 0041, 0045);

an evaluation unit in communication with *the demultiplexer* and configured to receive miscellaneous data from *the demultiplexer*; (i.e. receiving information with respect to A/V presentation)(Paragraphs 0039, 0041, 0044)

a memory configured to store the miscellaneous data and a controller that manages the miscellaneous data (0008, 0044, 0048);

a controller [12] configured to receive commands (Para. 0012) and manage the miscellaneous data (Para. 0044, 0048), where the memory and the control unit form a server unit, the control unit is in operable communication with the operating unit (Para 0012), the television receiver module, and *the demultiplexer*, and the miscellaneous data is transmitted to the network by the controller when recalled from the memory (Para. 0012, 0039, 0044). However, the reference is unclear with respect to a demultiplexer, a demultiplexer configured to separate the audio, video and miscellaneous data; a multiplexer configured to combine the audio and video signal into one data stream for transmission to a network.

In similar field of endeavor, Jutzi et al teaches a demultiplexer [206], a demultiplexer [206] configured to separate the audio, video and miscellaneous data (Figures 1 and 2); a multiplexer [210] configured to combine the audio and video signal into one data stream for transmission to a network (Figure 2; paragraph 0027). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the reference for the common knowledge purpose of

proving user an appliance-independent user interface on the basis of which the user can select the presentation independently of the appliances.

Claim 2 is rejected wherein the network comprises a Media Oriented Systems Transport (MOST) network (Figure 1, Paragraph 0039).

Claim 3 is rejected wherein the television reception unit [6, 14] further comprises an interface to the network [1] (Figure 1).

Claim 4 is rejected wherein the data saved in the memory is transmitted asynchronously to the network (Para. 0010, 0044).

Claim 5 is rejected wherein the controller is connected to the network [1] via a control bus (Figure 1; Para. 0039).

Claim 6 is rejected wherein a content and an organization of the data saved in the memory are controlled by the controller (Figure 1; Para. 0012, 0039, 0044, 0048).

Claim 7 is rejected wherein the content is determined by a criterion specified by the controller (Para. 0012-13, 0044, 0048)

Claim 8 is rejected wherein data is cyclically written to the memory from the controller (Para. 0010, 0044)

Claim 9 is rejected wherein the miscellaneous data transmitted to the network [1] from the television reception unit [6, 14, 15] and the miscellaneous data written to the memory unit are selected by the controller (Figure 1; Para. 0010, 12-13, 0039, 0044)

Claim 10 is rejected wherein the miscellaneous data written to the memory comprises program data for a television program currently received (Para. 0039, 0041).

Claim 11 is rejected wherein the program data saved in the memory comprises one of an Electronic Program Guide and a Multimedia Home Platform (Para. 0039, 0041, 0044).

Regarding claim 12, Knobi and Jutzi, the combination teaches everything claim (see claim 1). However, the combination is unclear with respect to where the data in memory is tested for plausibility or completeness, and when the data is in error, the data is substituted, or if missing, the data is supplemented where the demultiplexer is initiated and is configured to make the corresponding data available. The examiner takes OFFICIAL NOTICE of the fact that it was well known in the art at the time the invention was made to provide the data in memory is tested for plausibility or completeness, and when the data is in error, the data is substituted, or if missing, the data is supplemented where the demultiplexer is initiated and is configured to make the corresponding data available for the common knowledge purpose of providing system with most updated information in order to execute remind/record functions for shows.

Regarding claim 13, Knobi and Jutzi, the combination teaches everything claim (see claim 1). However, the combination is unclear with respect to a mobile telephone configured to communicate with the network. The examiner takes OFFICIAL NOTICE of the fact that it was well known in the art at the time the invention was made to provide a mobile telephone configured to communicate with the network for the common knowledge purpose of allowing users to make/receive calls, when away from home.

Regarding claim 14, Knobi et al teaches a digital television reception unit in a mobile television system (Figure 1) comprising:

a plurality of digital television reception modules configured to receive a plurality of data streams of television signals (i.e. A/V appliances able to receive plurality of data streams) (Figure 1; Para. 0007-8);

a network interface configured to transmit the audio and video signals into a network (Figure 1; Paragraphs 0010, 0012, 0039);

an evaluation unit configured to evaluate the content of the miscellaneous data (i.e. receiving information with respect to A/V presentation)(Paragraphs 0039, 0041, 0044); a memory that saves the miscellaneous data according to a specified criteria (0008, 0044, 0048); a controller configured to sort and manage the saved miscellaneous data (Para. 0044, 0048), where the controller is configured to communicate with at least one of the plurality of television reception modules; and the network interface is configured to communicate with the controller (Figure 1; Para. 0012, 0039, 0044). However, the reference is unclear with respect to a demultiplexer configured to separate video, audio, and miscellaneous data signals from the data streams.

In similar field of endeavor, Jutzi et al teaches a demultiplexer [206] configured to separate video, audio, and miscellaneous data signals from the data streams (Figure 2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the reference for the common knowledge purpose of providing user an appliance-independent user interface on the basis of which the user can select the presentation independently of the appliances.

Regarding claim 15, Knobi and Jutzi, the combination teaches everything claimed (see claim 14). The combination teaches the miscellaneous data comprises program data related to programs other than a program being received (Knobi: Para. 0010, 0012, 0039, 0041 0044).

Regarding claim 16, Knobi and Jutzi, the combination teaches everything claimed (see claim 14). The combination teaches one of the plurality of television reception modules and the controller process miscellaneous data in a background operation for a program other than a program being currently processed and displayed (Knobi: Para. 0010, 0012, 0039, 0041 0044 and Jutzi: Paragraph 0024 and 0029).

Regarding claim 17, Knobi and Jutzi, the combination teaches everything claimed (see claim 14). The combination the operable connection between the controller and the network interface comprises a bi-directional bus that is configured to transmit miscellaneous data into the network (Knobi: Figure 1, Para. 0010, 0012, 0044 and Jutzi: figures 1 and 3; paragraphs 0031).

Claim 18 is rejected wherein the controller and the memory form a server configured to transmit the miscellaneous data to one of the plurality of displays (Figure 1; Para. 0010, 0012, 0039, 0044).

Claim 19 is rejected wherein the network comprises a ring-shaped Media Oriented Systems Transport network (Figure 1).

Claim 20 is rejected wherein the network [1] is configured to carry commands from an operating unit operably connected to the network to the controller (figure 1; Para. 0009, 0039)

Claim 21 is rejected wherein the controller is configured to retrieve miscellaneous data from the memory for display (figures 1 and 2; Para. 0039, 0044 and 0046).

Regarding claim 22, Knobi et al teaches a method for receiving digital television signals in a mobile digital television reception system (figure 1) comprising:

receiving a plurality of digital data streams comprising coded and compressed television signals (i.e. A/V appliances able to receive plurality of data streams) (Figure 1; Para. 0007-8, 0039, 0041);

transmitting the audio and video data into the network (Figure 1; Para. 0039, 0044, 0046);

evaluating a content of the miscellaneous data (i.e. receiving information with respect to A/V presentation)(Paragraphs 0039, 0041, 0044); saving the miscellaneous data according to a specified criterion(0008, 0044, 0048); sorting and managing the saved miscellaneous data; requesting the saved miscellaneous data for display(Para. 0044, 0046, 0048). However, the reference is unclear with respect to separating audio data, video data, and miscellaneous data from each of the plurality of digital data streams;

In similar field of endeavor, Jutzi et al teaches separating audio data, video data, and miscellaneous data from each of the plurality of digital data streams (i.e. demux separates audio, video and program data) (Figure 2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the reference for the common knowledge purpose of providing user an appliance-

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independent user interface on the basis of which the user can select the presentation independently of the appliances.

Claim 23 is rejected wherein transmitting the audio data and the video data into the network (figure 1; Para. 0010, 0012, 0039) further comprises transmitting the audio data and the video data in real-time (0010 and 0012).

Claim 24 is rejected wherein evaluating, saving, and requesting the miscellaneous data does not occur in real-time (Figures 1 and 2; Para. 0010, 0012, 0039, 0044).

Regarding claim 25, Knobi et al teaches a digital television reception unit in a mobile television system (Figure 1) comprising:

means for receiving a plurality of data streams of digital television signals (i.e. A/V appliances able to receive plurality of data streams) (Figure 1; Para. 0007-8, 0039, 0041);

means for evaluating the content of the miscellaneous data (i.e. receiving information with respect to A/V presentation)(Paragraphs 0039, 0041, 0044); means for saving the miscellaneous data according to a specified criteria (0008, 0044, 0048); and means for controlling, sorting, and managing the saved miscellaneous data from the plurality of data streams (Para. 0044, 0046, 0048). However, the reference is unclear with respect to means for separating video data, audio data, and miscellaneous data signals from the plurality of data streams.

In similar field of endeavor, Jutzi et al teaches means for separating video data, audio data, and miscellaneous data signals from the plurality of data streams (i.e.

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demux separates audio, video and program data) (Figure 2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the reference for the common knowledge purpose of providing user an appliance-independent user interface on the basis of which the user can select the presentation independently of the appliances.

Claim 26 is rejected wherein interfacing to means for networking the video data, audio data and miscellaneous data between the digital television reception unit and a display (Figures 1 and 2; Paragraphs 0010, 0012, 0039, 0041, 0044); and means for responding to requests for the miscellaneous data between an operating unit and the means for controlling (Figures 1 and 2; Para. 0009, 0039).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KUNAL LANGHNOJA whose telephone number is 571-270-3583. The examiner can normally be reached on M-F 10:00 A.M.- 6:00 P.M. ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on 571-272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/K. L./
Examiner, Art Unit 2427

/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2427